

**Small Parties Group ESI Status Report**  
**October 14, 2020**

Party Name	Status Narrative, Including Challenges
Ashland LLC/ISP Chemicals LLC	<p>ESI production is ongoing. Additional review of collected ESI for responsiveness and privilege.</p> <p>Challenges include: Negotiation of relevant search terms and responsiveness issues.</p>
BASF Corporation and BASF Catalysts	<p>BASF Corporation and BASF Catalysts have both commenced document custodian searches and expect to complete these in the next two weeks. Collected ESI is being transferred to a document review platform for review by counsel for privilege and responsiveness. Although it difficult to estimate with certainty until we know the amount of ESI material that needs to be reviewed, it is currently estimated that ESI production will be completed by 11/2/2020.</p>
Benjamin Moore	<p>ESI production is ongoing. Pursuant to search terms agreed upon in a meet and confer with OxyChem, rolling production of ESI should begin within one week and be complete by October.</p> <p>Challenges include: Delays resulting from the impact of COVID-19.</p>
Berol Corporation	<p>ESI production is ongoing. ESI collection is almost complete and is in the process of being reviewed.</p> <p>Challenges include: As previously stated, Berol Corporation faced some delay in the ability to collect ESI due to a conflicts issue that arose and required moving to a different ESI collection vendor. Additionally, Berol Corporation is still working on collecting ESI from one third party custodian due to data collection challenges related to COVID-19. ESI has been collected from all remaining identified custodians.</p>
Canning Gumm	Review of ESI is ongoing. Canning Gumm LLC continues to review ESI for privilege and responsiveness.
CNA Holdings, LLC	CNA Holdings, LLC has collected ESI and it is presently being reviewed and readied for production, along with the privilege log to accompany the production.
Coats & Clark, Inc.	<p>ESI review for responsiveness and privilege is ongoing.</p> <p>Challenges include: Large volume of documents.</p>

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Cooper Industries	Cooper Industries, LLC has completed the collection of its ESI and review of documents for privilege and responsiveness is ongoing.
Covanta Essex	Challenges include: We received a substantially larger volume of ESI than expected, most of which is nonresponsive but which is taking longer than expected to review due to the poor quality (or lack of) OCR.
DII Industries, LLC	Covanta has retained an ESI search firm to assist Covanta with ESI review and production. Covanta is working with the third party vendor to retrieve discoverable ESI and to identify document custodians and numerous databases. The third party vendor will continue to work with Covanta and will meet with records custodians and review relevant databases. Challenges include: COVID-19 coordination issues, conflicting demands on client's IT personnel and identified document custodians, the 24 year passage of time since the facility went to a zero discharge configuration, and legacy ESI system challenges including but not limited to the 2005 acquisition of American Ref-Fuel by Covanta. Covanta believes that it has little, if any, ESI responsive to the RFPs.
DII Industries, LLC	DII Industries, LLC has completed ESI collection and is currently reviewing ESI for responsiveness and privilege.  Challenges include: ESI collection was delayed as a result of remote work and other COVID-19 related circumstances, but we were ultimately able to collect all ESI successfully.
Franklin-Burlington Plastics, Inc.	ESI production is ongoing. Franklin-Burlington Plastics, Inc. (FBP) has collected and is continuing to collect potentially responsive ESI from the custodians and sources identified in its April 24, 2020 correspondence to OxyChem, among others. FBP is in the process of reviewing the ESI collected for responsiveness and privilege issues. FBP anticipates beginning rolling productions of ESI soon.  Challenges include: FBP's counsel's firm is currently implementing a work from home policy to mitigate the effects of COVID-19. The remote working environment has affected FBP's counsel's ability to coordinate effectively. In addition, FBP has experienced delays in accessing the sources of ESI it has identified because of stay-at-home orders and remote working policies. Further, due to a divestiture of a portion of FBP's former parent company, some of the ESI related to FBP's former operations is no longer in FBP's possession, custody, or control. FBP continues to work with this third party to obtain any ESI it may have within its control related to FBP's former operations.

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General Electric Company	<p>ESI production is ongoing. GE has completed its ESI collection and searches and is currently reviewing ESI for privilege and relevance.</p> <p>Challenges include: Delays in ESI collection, including collection of information in onsite storage (office closed due to COVID-19).</p>
Givaudan Fragrances Corporation	<p>ESI production is ongoing. Additional review is being conducted of collected ESI for responsiveness and privilege.</p> <p>Challenges include: Negotiation of relevant search terms and responsiveness issues.</p>
Goodrich Corporation	<p>ESI has been reviewed by an outside vendor. Responsive documents are now being reviewed for privilege and responsiveness.</p> <p>Challenges include: COVID-19 delays and identifying file locations due to multiple corporate transactions.</p>
Hexcel Corporation	<p>Hexcel Corporation's ESI has been collected, searched, and processed. ESI is now being reviewed for responsiveness and privilege.</p> <p>Challenges include: ESI collection was delayed as a result of the large volumes of data that needed to be collected while all relevant employees/staff were working remotely, but collection was completed.</p>
Hoffmann-LaRoche Inc.	<p>Hoffmann-LaRoche has produced over 206,000 pages of responsive documents. Additionally at a meet and confer session June 2018, Roche advised that it maintains in offsite storage hard copy files possibly related to PVSC. No inquiry has followed. Hoffman LaRoche has objected to the ESI search as overly broad and unduly burdensome, but continues its search for ESI, undergoing an internal investigation to identify sources of ESI that may be stored as the Nutley Facility has closed. Any ESI identified will be produced on a rolling basis.</p> <p>Challenges include: Because of closure of the Facility this is a complex and burdensome search that is made more challenging because of COVID-19 closures. ESI production, while electronic, nonetheless requires some physical retrieval, analysis, and searching of archived ESI.</p>

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Honeywell International Inc.	ESI production and review is ongoing. Challenges include: Reviewing ESI for responsiveness and for duplication with documents already produced.
Kalama Specialty Chemicals, Inc.	ESI has been reviewed by a third party vendor and is currently being reviewed for privilege. Challenges include: COVID-19 delays and identifying file locations.
L3Harris Technologies, Inc.	ESI production is ongoing. L3Harris Technologies, Inc. is collecting files of identified relevant custodians. Once the ESI is collected, it will need to be reviewed and processed for production. It is unclear at this stage whether search terms will need to be used. Challenges include: COVID-19 delays. ESI custodians are working with reduced staffing as well.
Legacy Vulcan, LLC	ESI production is ongoing. Legacy Vulcan, LLC is identifying e-mail custodians (and the associated e-mail folders for those custodians) that may contain relevant ESI and providing the identified ESI to an ESI vendor for processing. Production is estimated to begin within one month and it is possible that completion will be achieved within one month as well. Challenges include: Legacy Vulcan LLC's offices have been closed throughout the COVID-19 pandemic. While employees are working remotely, this has slowed ESI efforts. Among other things, Legacy Vulcan LLC's IT staff (whose support is necessary for the potentially relevant ESI identification process) has been consumed with IT support obligations associated with supporting a remote workforce.
McKesson Corp.	McKesson Corporation has collected its ESI and is conducting attorney review. McKesson Corporation anticipates completing its ESI production in November.
National-Standard LLC	National-Standard LLC has almost completed its search and expects that it has little if any discoverable ESI. National-Standard LLC is checking with client representatives to confirm that there are no further potential sources of ESI. Challenges include: The COVID-19 pandemic made it difficult to communicate with representatives. Further, the National-Standard Facility was closed and demolished thirty years ago. This Defendant was acquired by its current owners in 2000. Records pre-dating the acquisition were likely not conveyed to the current owners.

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Newell Brands Inc.	ESI production is ongoing. ESI collection is almost complete and is being processed for review. As previously stated, Newell Brands Inc. faced some delay in the ability to collect ESI due to a conflict that arose and required transitioning to a new ESI collection vendor. Additionally, Newell Brands Inc. is still working on collecting ESI from one third party custodian due to data collection challenge related to Covid 19. ESI has been collected from all remaining identified custodians.
Nokia of America Corporation	
Pabst Brewing Company	Review of ESI ongoing. Pabst Brewing Company continues to review ESI for privilege and responsiveness.
Pitt-Consol Chemical Company	<p>Pitt-Consol's ESI work is ongoing. Pitt-Consol has corresponded with OxyChem regarding ESI search terms and records custodians, and was able to collect some ESI from a limited number of client custodians and from the client's site remediation consultant. The first-level review of ESI and QA/QC work on that review is ongoing. Pitt-Consol previously produced more than 100,000 pages of discovery in addition to its prior Spill Act production, including many site investigation and remediation reports. Pitt-Consol also previously produced in electronic format extensive sampling data for its site. Pitt-Consol also expects to update its prior production of electronic sampling data from the site as data is developed, and to identify and produce any environmental investigation/remediation reports submitted to NJDEP that post-dated ESI collection.</p> <p>Challenges include: COVID-19 has slowed both the collection and review of documentation.</p>
PPG Industries, Inc.	ESI production is ongoing. PPG has collected its ESI and applied search terms. Relevance and privilege review of the ESI is currently ongoing.
PSE&G	First level review is complete. Privilege review and pre-production processing are ongoing.
Purdue Pharma Technologies, Inc. and Nappwood Land Corporation	
Quala Systems, Inc.	<p>Data collection and validation are complete. Data processing and review for responsiveness and privilege are now ongoing.</p> <p>Challenges include: COVID-19 delays, contractual issues with data collection vendor, and third-party data storage vendor availability. These challenges have now been resolved</p>
Quality Carriers, Inc.	Data collection and validation are complete. Data processing and review for responsiveness and privilege are now ongoing.

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	Challenges include: COVID-19 delays, contractual issues with data collection vendor, and third-party data storage vendor availability. These challenges have now been resolved.
RTC Properties Inc.	RTC Properties had completed ESI collection and running of search terms. Counsel is continuing to review the resulting documents for production, which is anticipated to occur during the next 30 days.
Stanley Black & Decker, Inc.	Stanley Black & Decker, Inc.'s ("Stanley") ESI production is substantially complete. Stanley was able to identify all ESI held by a limited number of company custodians and gather ESI from the company's site remediation consultant. Stanley produced the consultant's ESI and is preparing a privilege log for the consultant's documents. On September 15, 2020, Stanley produced documents from the company custodian and is preparing a log for the privileged documents. Stanley explained its search process and collection and production of ESI to OxyChem in a letter dated March 10, 2020.
Sun Chemical Corporation	ESI production is ongoing. Sun Chemical Corporation has worked with OxyChem to streamline the proposed ESI search terms. Search terms were applied and there are approximately 1,145 documents to review. Document review prior to production is ongoing.
Textron Inc.	ESI production is ongoing. Review for privilege and responsiveness is ongoing.
The Hartz Mountain Corporation	No ESI except for materials in attorney files not subject to search or disclosure under Joint Discovery Protocol.
The Newark Group, Inc.	The Newark Group, Inc. ESI has been collected and searched and production is ongoing; rolling production of ESI began in September. The Newark Group, Inc. continues to review ESI for privilege and responsiveness purposes and anticipates making at least one additional production.
The Okonite Company	
The Sherwin-Williams Company	ESI production is ongoing. The process is complete except for the review of emails for relevance. Challenges include: Delays associated with COVID-19 and closure of corporate offices.
The two Sunoco Parties	The Sunoco Parties have reviewed responsive documents based upon targeted search terms. A second review will begin shortly for potentially privileged and responsive documents prior to production.
ViacomCBS Inc. (f/k/a CBS Corporation)	ViacomCBS Inc.'s ESI review and production is ongoing. ViacomCBS Inc. identified the relevant ESI custodians and locations for responsive ESI. The ESI custodians' files and the other locations for responsive ESI have been searched based on the SPG search terms list. ViacomCBS Inc. did not opt to modify or limit the SPG search term list in any way. The universe of potentially responsive ESI based on the search terms is currently being reviewed for responsiveness and privilege. ViacomCBS Inc. has made good progress and is approximately 2/3 of the way through its review. After a QA/QC review, ViacomCBS

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	Inc. should be in a position to make the first rolling production of ESI in the early Fall. ViacomCBS Inc. has about 1/3 of the ESI left to review for its initial responsiveness and privilege review. After the initial review is complete, ViacomCBS Inc. will perform a QA/QC review before it can begin productions of ESI. Challenges include: The current COVID-19 conditions have meant that both in-house ViacomCBS Inc. personnel and outside counsel are working remotely. This has caused the ESI gathering and review process to move more slowly than it would if individuals were not working from home. A new document review platform is being utilized for this document review, which has also caused some hurdles based on working out IT-related issues.